



0000099199

57

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING  
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF  
AGUA CALIENTE SOLAR, LLC, IN  
CONFORMANCE WITH THE REQUIREMENTS OF  
ARIZONA REVISED STATUTES 40-360.03 AND  
40-360.06, FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF THE AGUA  
CALIENTE SOLAR PROJECT, A 280 MW  
PARABOLIC TROUGH CONCENTRATING SOLAR  
THERMAL, OR A 425 MW PHOTOVOLTAIC  
SOLAR, GENERATING FACILITY AND  
ASSOCIATED TRANSMISSION LINE  
INTERCONNECTING THE GENERATING  
FACILITY TO THE ADJACENT PALO VERDE  
- NORTH GILA #1 500KV TRANSMISSION LINE IN  
YUMA COUNTY APPROXIMATELY 10 MILES  
NORTH OF DATELAND, ARIZONA.

) Docket No. L-00000JJ-09-0279-00145  
) Case No. 145

RECEIVED  
2009 JUN 10 A 9:52  
AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY, IN  
CONFORMANCE WITH THE REQUIREMENTS OF  
ARIZONA REVISED STATUTES 40-360.03 AND 40-  
360.06, FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF THE APS Q43  
500KV TRANSMISSION LINE AND SWITCHYARD  
INTERCONNECTION PROJECT AND  
ASSOCIATED FACILITIES INTERCONNECTING  
TO THE PALO VERDE - NORTH GILA #1 AND  
FUTURE PALO VERDE - NORTH GILA #2 500KV  
TRANSMISSION LINES APPROXIMATELY 10  
MILES NORTH OF DATELAND, ARIZONA  
(SECTION 34, T5S, R12W, G&SRB&M, YUMA  
COUNTY, ARIZONA)

) Docket No. L-00000D-09-0280-00146

) Case No. 146

**NOTICE OF FILING E-MAIL  
COMMUNICATION**

Arizona Corporation Commission

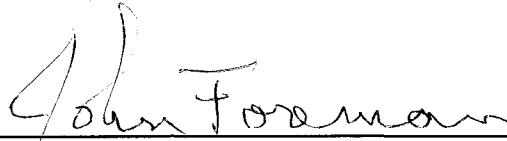
**DOCKETED**

JUN 10 2009

DOCKETED BY	<i>MM</i>
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The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is  
providing notice of filing the attached e-mail communications that have occurred between  
the Parties to this case and the Chairman, up to this date.

1  
2 DATED: June 10, 2009  
3

4   
5

6 John Foreman, Chairman  
7 Arizona Power Plant and Transmission  
8 Line Siting Committee  
9 Assistant Attorney General  
10 [john.foreman@azag.gov](mailto:john.foreman@azag.gov)  
11

12 Pursuant to A.A.C. R14-3-204,  
13 The Original and 25 copies were  
14 filed June 10, 2009 with:

15 Docket Control  
16 Arizona Corporation Commission  
17 1200 W. Washington St.  
18 Phoenix, AZ 85007  
19

20 Copy of the above was mailed  
21 this 10<sup>th</sup> day of June, 2009 to:

22 Nancy Scott  
23 Janice Alward, Chief Counsel  
24 Arizona Corporation Commission  
25 1200 West Washington Street  
26 Phoenix, AZ 85007  
Counsel for Legal Division Staff

Jay Moyes  
Moyes, Sellers & Sims  
1850 North Central Avenue  
Suite 1100  
Phoenix, AZ 85004  
Counsel for Applicant, Agua Caliente Solar

1 Thomas H. Campbell, Esq.  
2 Lewis and Roca, LLP  
3 Two Renaissance Square  
4 40 North Central Avenue  
5 Phoenix, AZ 85004  
6 Counsel for Applicant, APS

7 Marta T. Hetzer  
8 Arizona Reporting Service, Inc.  
9 2200 North Central Avenue  
10 Phoenix, Arizona 85004-1481

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15 Jara Williams  
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**From:** Tara Williams  
**To:** Kornegay, LuAnn  
**Date:** 4/30/2009 9:50 AM  
**Subject:** Revised Procedural Order  
**Attachments:** PHX-#426841-v1-REVISED\_PRE-HEARING\_PROCEDURAL\_ORDER.DOC

Hi LuAnn,

Per the Chairman, I have attached the revised Procedural Order for Mr. Moyes, which can be discussed at the pre-application conference. Let me know if you need any additional information.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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1 **BEFORE THE ARIZONA POWER PLANT AND**  
2 **TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION OF [name ) Arizona Corporation Commission  
4 of applicant], IN CONFORMANCE WITH THE )  
5 REQUIREMENTS OF ARIZONA REVISED ) Docket No. L-00000[docket  
6 STATUTES §§ 40-360, *et seq.*, FOR A ) number]  
7 CERTIFICATE OF ENVIRONMENTAL )  
8 COMPATIBILITY AUTHORIZING THE ) Case No. [case number]  
9 CONSTRUCTION OF [name of project], LOCATED )  
10 [location of project] IN [name of county] COUNTY, )  
11 ARIZONA. )  
12 )

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13 [Draft]  
14 **PROCEDURAL ORDER**

15 An application for a Certificate of Environmental Compatibility was filed in the  
16 above captioned matter with docket control of the Arizona Corporation Commission  
17 ("Commission") on [date of filing]. A copy of the application was transmitted to John  
18 Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman  
19 ("Chairman") and Presiding Officer of the Arizona Power Plant and Transmission Line  
20 Siting Committee ("Line Siting Committee"). A.R.S. §§ 40-360.01(B)(1) and 40-360.03.  
21 As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E),  
22 the Chairman issues the following procedural order,

23 **IT IS ORDERED:**

- 24 1. The Applicant and all other potential parties ("persons" within the meaning of  
25 A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to  
26 A.R.S. § 40-360.05(A)) shall advise the Chairman in writing on or before the time  
of the pre-hearing conference scheduled below if they disagree that the time limit  
for decision on the application by the Line Siting Committee set by A.R.S. §  
40.360.04(D) is [date approximately 180 days after filing].
2. The Applicant shall arrange for the publication and posting of notice of the  
evidentiary hearing as agreed to at a pre-application hearing involving the  
Applicant and all known potential intervenors, in a form approved by the  
Chairman and circulated for approval as to form to all known potential interested  
parties. In addition, the Applicant shall submit a copy of the notice and present  
testimony describing the publication and posting of the notice at the evidentiary  
hearing.
3. The Applicant shall make arrangements for the evidentiary hearing to be held at  
[location of the evidentiary hearing], Arizona, beginning at 9:30 a.m. on  
[beginning date of hearing], and continuing on [continuing date(s) of the

1 evidentiary hearing] at 9:30 a.m. In addition, the Applicant shall make  
2 arrangements for a public comment session to be held at the same venue  
3 starting at 6:00 p.m. on [date of public comment session]. The Applicant shall  
4 make arrangements for further regular sessions on [potential future dates of the  
5 evidentiary hearing], and, if needed, additional public comment sessions on  
6 dates and at times to be determined later.

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4. The Applicant shall contact Michael Kearns, Chief Finance Officer of the Commission (602-542-3931) and advise him of the Applicant's position concerning reimbursement of the Line Siting Fund should the expenses of the hearings exceed the application fee and to discuss financial arrangements regarding hotel reservations and other expenses of the Line Siting Committee Members. A.R.S. § 40-360.10. The Applicant shall advise the Chairman of the results of these discussions so the necessary information may be communicated to the Line Siting Committee Members.
  5. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall meet and confer on or before the beginning of the evidentiary hearing to determine whether any of the intervening parties have similar interests in the application process that will allow them jointly to present testimony on direct or cross-examination of witnesses or jointly to offer exhibits into evidence. The Applicant shall, and any other potential party may, report to the Chairman the results of the attempts of the parties to resolve the issues and to determine if common interests exist that will allow parties to jointly present evidence and argument or to avoid repetition of testimony and argument at the hearing.
  6. The parties and any other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall not communicate with any member of the Line Siting Committee about any procedural matters or any factual issues or legal issues relating to the Application while the Application is pending before the Line Siting Committee. The only exception is the parties may communicate with the Chairman during the time the Application is pending about procedural matters relating to the preparation of the Application for hearing, the hearing on the Application and the decision on the Application by the Line Siting Committee. Communication of the parties with the Chairman about any procedural matters during the time an Application is pending shall be in writing with a copy of the writing to all parties or known potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who have expressed an intention to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)), or shall be on the record at a pre-application hearing, at a procedural hearing or at the hearing on the application. Any party who initiates any written communication sent to the Chairman shall file with docket control of the Commission a copy of the communication including its distribution list within 10 days of sending the communication.

- 1 7. Whenever an agenda is filed pursuant to A.R.S. § 38-431.02, all parties shall  
2 submit at least forty-eight hours before the hearing or meeting described in the  
3 agenda any objections, additions or corrections to the agenda in order to bring  
4 the agenda into compliance with A.R.S. § 38-431.02 in writing to the Chairman,  
5 serve a copy upon all other parties and file a copy with docket control of the  
6 Commission.  
7
- 8 8. In addition, all parties shall meet and confer as needed before, during and after  
9 the hearing to attempt to resolve any disputes amongst the parties. The parties  
10 also shall keep all other parties advised of their positions and intentions with  
11 regard to the presentation of evidence, witnesses and the application process in  
12 general to avoid delay, the presentation of repetitive evidence and any unfair  
13 advantage from surprise.
- 14 9. All parties shall prepare brief summaries of the expected direct testimony of each  
15 witness they will call. In lieu of a testimonial summary, a party may pre-file and  
16 exchange all or substantially all of the direct testimony of any witness.  
17 Testimonial summaries and pre-filed testimony should be filed no later than the  
18 last pre-hearing conference or three business days before the witness is to  
19 testify, whichever is later. Except for good cause, no witness will be allowed to  
20 testify on direct examination concerning issues not reasonably identified in the  
21 pre-filed testimony or testimonial summary.
- 22 10. All parties shall meet, confer and exchange all exhibits the party plans to offer in  
23 evidence before the hearing or before they are referred to in testimony or offered  
24 in evidence. The Applicant shall, and other parties may, provide one or more  
25 three ring binders for the Chairman and each member of the Line Siting  
26 Committee to hold exhibits at the beginning of the hearing and as needed during  
the hearing. Each party shall prepare a numbered list of the exhibits and a copy  
of all exhibits suitable for placement in the binders that have been exchanged  
with the other parties that each party expects to offer in evidence at the hearing  
for the Chairman and each Line Siting Committee member. The exhibits shall be  
provided at the beginning of the hearing and during the hearing before reference  
to the exhibit is made in the hearing. Except for good cause, no exhibit that was  
not exchanged with the other parties shall be considered at the hearing. Any  
exhibit to which reference is made during any hearing that is not offered or  
admitted into evidence shall be provided to the court reporter at the evidentiary  
hearing for inclusion in the record unless it is withdrawn and the Chairman  
determines its filing is not necessary to an understanding of the actions of the  
Committee.
11. All exhibits shall be consecutively numbered with the Applicant's exhibits  
denominated: A-1, A-2, etc. Each intervening party will be assigned by the  
Chairman a letter or letters of the alphabet as a preface with which to

consecutively number its exhibits. For example, the Commission Staff will number its exhibits: CC-1, CC-2, etc.

12. The Applicant may make an opening statement at the beginning of the hearing of no more than thirty minutes. Each other party may make an opening statement of no more than five minutes.
13. Public comment will be heard after the opening statements and at other times set by the Chairman during the hearing. See ¶ 3, above.
14. In the event the Chairman determines that a tour is appropriate, the Applicant shall arrange for transportation of any Committee Members who wish to attend a tour of the locations where facilities proposed in the application or similar facilities are located. The Applicant shall submit to the Chairman, for approval in advance of the hearing, a schedule and protocol agreed to by all parties for the tour. If all parties do not agree upon the schedule and protocol for the tour, the disagreements shall be submitted to the Chairman for resolution. The protocol shall identify the tour route, identify the location of any stops, and identify any witnesses who will accompany the tour. Counsel may ask brief explanatory questions of the identified witness or witnesses during the stops about the location, what can be seen from the location of the stop and the relevance of the location or view to the Application in the discretion of the Chairman. All witnesses who testify on the tour shall be sworn before their testimony. All questions and answers shall be before a court reporter. No testimony or discussion with or between Committee Members about the Application or matters relating to the Application will take place, except on the record before a court reporter at the designated stops. The protocol shall provide for access to any testimony presented at stops on a tour to members of the public. Members of the public who wish to attend the tour shall be encouraged to notify the parties or the appropriate staff of Arizona Corporation Commission in advance of their intention to attend.
15. Parties may present their witnesses in panels where appropriate. A party that intends to present witnesses in panels shall identify the members of any panel at the time it files its witness summaries.
16. The Applicant shall make arrangements for the preparation of expedited court reporter transcripts of all pre-application hearings, pre-hearing procedural hearings and the evidentiary hearing, so that the transcripts are available for public inspection within three working days after each hearing date, as required by A.R.S. § 38-431.01D and § 40-360.04C. In addition, the Applicant shall file a certification with Commission docket control that it has provided a copy of the transcripts to at least two public libraries identified in the certification that are in the vicinity of the application.



17. On or before the final pre-hearing procedural hearing set below, the Applicant shall, and the other parties may, file proposed findings of fact, proposed conclusions of law, the wording of any proposed Certificate of Environmental Compatibility and the wording of any proposed conditions to the Certificate.

18. If the beginning of closing arguments and the Line Siting Committee's deliberations are more than one week after the beginning of the hearing, the parties shall meet and confer after the hearing begins and before closing arguments concerning proposed findings of fact, proposed conclusions of law, a proposed Certificate of Environmental Compatibility and the wording of any proposed conditions to the Certificate. If the parties are able to agree upon part or all of the proposed findings of fact, proposed conclusions of law, proposed forms of a Certificate of Environmental Compatibility and proposed wording of conditions to the Certificate, all that is agreed upon should be reduced to writing and filed with Commission docket control. If the parties are not able to agree completely, the Applicant shall, and all other parties may, file proposed findings of fact, proposed conclusions of law, proposed wording of a Certificate of Environmental Compatibility and proposed wording of conditions to the Certificate on the day before the beginning of closing arguments and the Line Siting Committee's deliberations. If the Applicant or any other party proposes conditions based upon conditions used in prior cases, each proposed condition from a prior case shall contain the case number of the most recent prior Certificate of Environmental Compatibility using the language approved by the Commission.

19. All witness summaries, proposed findings of fact, proposed conclusions of law, proposed Certificates of Environmental Compatibility and proposed conditions of Certificates, shall be filed with Commission docket control pursuant to A.A.C. R14-3-204 and -205. If any documents that are filed are hand delivered during the hearing, eleven copies shall be submitted to the Chairman for distribution to the other Committee Members.

20. Within five business days after the hearing concludes and the Committee renders its decision, the parties shall meet and confer in person or electronically to determine if they can agree upon the final wording of a proposed Certificate of Environmental Compatibility. If the parties can agree upon the final wording of a proposed Certificate of Environmental Compatibility, Applicant shall file forthwith the agreed upon proposed Certificate of Environmental Compatibility. If the parties are not able to agree upon a proposed form of Certificate of Environmental Compatibility, the Applicant shall file, and the other parties may file, within ten days after the date of the decision of the Committee, those portions of the proposed Certificate of Environmental Compatibility upon which the parties agree. The Applicant also shall file, and any other party also may file, its understanding of any disputed portions of the proposed Certificate of Environmental Compatibility. All proposed forms of the Certificate of

Environmental Compatibility and any objections or proposed revisions shall be filed with docket control of the Commission and a copy shall be hand delivered to the office of the Chairman at 1275 W. Washington, Phoenix, Arizona. Objections or suggestions that are not timely filed shall be considered waived. The copy of the proposed Certificate of Environmental Compatibility filed by the Applicant and any proposed revisions filed by the parties served upon the Chairman shall include an electronic file containing the wording of the proposed language in a format compatible with Microsoft© Word word processing program.

21. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall meet with the Chairman for a final pre-hearing conference on [date of final pre-hearing conference], at [time of pre-hearing conference] at the offices of the Attorney General of Arizona at 1275 W. Washington, Phoenix, Arizona. Parties may appear by telephone with the prior permission of the Chairman. At the final pre-hearing conference, the Chairman will review with the parties:

- a. The publication and posting of notices of the hearing;
- b. The proposed agenda for the evidentiary hearing;
- c. Any notices to intervene, applications to intervene, and applications to make a limited appearance;
- d. The status of attempts to narrow the issues at the evidentiary hearing or to agree to language in the proposed findings of fact, proposed conclusions of law, proposed Certificates of Environmental Compatibility and proposed conditions to the Certificate;
- e. The status of the filing and exchange of witness summaries or written testimony, proposed findings of fact, proposed conclusions of law, proposed Certificates of Environmental Compatibility and proposed conditions to the Certificate;
- f. The status of the exchange of exhibits amongst the parties;
- g. Any objections, motions, responses and legal memoranda that have been filed;
- h. Plans and preparations for the hearing, public comment session, and tour of the proposed site.

IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing conference or at a hearing.

DATED:

---

John Foreman  
Assistant Attorney General  
Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

Pursuant to A.A.C. R14-3-204,  
The Original and 25 copies were  
filed [date] with:

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007

Copy of the above mailed this  
[date] to:

[parties and counsel]

#426841

**From:** Tara Williams  
**To:** Moyes, Jay  
**Date:** 4/30/2009 11:38 AM  
**Subject:** Fwd: Re: Meeting Dates

**CC:** LuAnn Kornegay  
Mr. Moyes,

I believe you were not copied on my last e-mail. My apologies, it's attached below.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
[tara.williams@azag.gov](mailto:tara.williams@azag.gov)

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>>> Tara Williams 4/30/2009 11:35 AM >>>  
LuAnn,

The Chairman thinks that May 6th at 2 pm, or May 14th at 10 am or 2 pm would work the best. Please let Staff know of the options, and tell me which time is best for them if they plan on attending.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
[tara.williams@azag.gov](mailto:tara.williams@azag.gov)

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 4/30/2009 10:53 AM >>>  
Good morning

Pursuant to our telephone conversation this morning regarding setting up meeting dates with Chairman Foreman, below is a list of days and times that Jay is available to meet.

May 5, May 6 (afternoon), May 6, May 11, 12, and May 14.

If we need to go into later May, let me know.

Thank you for your assistance.

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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**From:** Tara Williams  
**To:** LuAnn Kornegay  
**Date:** 4/30/2009 12:59 PM  
**Subject:** RE: Meeting Dates

Okay, thank you LuAnn.

Tara

>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 4/30/2009 12:58 PM >>>  
I am happy to contact them. I just wasn't sure if it was Janice or not.

Thanks. I will contact them in regards to the dates.  
Thanks again.

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]  
Sent: Thursday, April 30, 2009 12:57 PM  
To: LuAnn Kornegay  
Subject: RE: Meeting Dates

Well, Ms. Alward is out of the office until next week, I believe. I can contact Janet Wagner and Charles Hains to see when they're available or if they will send someone else. I can keep you informed as to what I'm told, so you can schedule a court reporter.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
[tara.williams@azag.gov](mailto:tara.williams@azag.gov)

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 4/30/2009 12:53 PM >>>

Tara

Can you tell me who from Staff has been assigned to this matter?

Thanks!

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]  
Sent: Thursday, April 30, 2009 11:36 AM  
To: LuAnn Kornegay  
Subject: Re: Meeting Dates

LuAnn,

The Chairman thinks that May 6th at 2 pm, or May 14th at 10 am or 2 pm would work the best. Please let Staff know of the options, and tell me which time is best for them if they plan on attending.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
[tara.williams@azag.gov](mailto:tara.williams@azag.gov)

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 4/30/2009 10:53 AM >>>

Good morning

Pursuant to our telephone conversation this morning regarding setting up meeting dates with Chairman Foreman, below is a list of days and times that Jay is available to meet.

May 5, May 6 (afternoon), May 6, May 11, 12, and May 14.

If we need to go into later May, let me know.

Thank you for your assistance.

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

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**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Janice Alward" <JAlward@azcc.gov>  
**Date:** 5/4/2009 10:20 AM  
**Subject:** RE: Agua Caliente Solar

**CC:** "Jay Moyes" <JIMoyes@LAWMS.COM>, "Tara Williams" <Tara.Williams@azag.gov>  
Good morning Janice

I was wondering if you had a chance to look at your calendar for May 14 for the Agua Caliente Solar meeting with Chairman Foreman, Jay and ACC staff? I know that that the Chairman is trying to finalize his schedule for that day.

If you have any questions or need additional information, please let me know. Thank you.

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

lkkornegay@lawms.com

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---

From: LuAnn Kornegay  
Sent: Friday, May 01, 2009 8:45 AM  
To: 'Janice Alward'  
Cc: Jay Moyes  
Subject: Agua Caliente Solar

Good morning Janice

I know you are out of town and not due back until Monday, May 4.  
Yesterday I sent to you an email inquiring about your availability for a  
meeting with Jay and Chairman Foreman. We are now looking at the May 14  
date at either 10 am or 2 pm.

As always, if you have any questions or need additional information,  
please call.

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

lkkornegay@lawms.com

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**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 5/4/2009 11:27 AM  
**Subject:** Agua Caliente Solar

**CC:** "Jay Moyes" <JIMoyes@LAWMS.COM>  
Good morning Tara

Janice Alward just telephoned me and said that she does not plan on attending the meeting with Jay and Mr. Foreman on May 14 and that we should just plan a time that is convenient for Mr. Foreman. So, please let me know what his preference is and I will make sure Jay and the court reporter are in attendance.

Thank you!!!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

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Phoenix, AZ 85004

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**From:** Tara Williams  
**To:** LuAnn Kornegay  
**Date:** 5/4/2009 11:43 AM  
**Subject:** Re: Agua Caliente Solar

**CC:** Susan Ellis

Thank you LuAnn. We have scheduled the meeting for May 14th at 2 pm. It will be held here, at the Attorney General's Office.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 5/4/2009 11:26 AM >>>  
Good morning Tara

Janice Alward just telephoned me and said that she does not plan on attending the meeting with Jay and Mr. Foreman on May 14 and that we should just plan a time that is convenient for Mr. Foreman. So, please let me know what his preference is and I will make sure Jay and the court reporter are in attendance.

Thank you!!!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "AZRS" <azrs@az-reporting.com>  
**Date:** 5/4/2009 2:06 PM  
**Subject:** Agua Caliente Solar Project

**CC:** "Tara Williams" <Tara.Williams@azag.gov>, "Susan Ellis" <Susan.Ellis@aza...  
Hi Marta

I would like to request a court reporter for May 14 at 2:00 pm at the AG's office for an Agua Caliente Solar pre-filing conference with Chairman Foreman and Jay Moyes. We believe that the meeting will not be longer than 30 minutes. If you have any questions or need additional information, please let me know. Thank you.

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

lkkornegay@lawms.com

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**From:** "Jay Moyes" <JIMoyes@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 5/11/2009 9:31 AM  
**Subject:** RE: Upcoming Line Siting Filings

Thank you! See you on Thursday. --JAY

Jay I. Moyes, Esq.  
Moyes Sellers & Sims  
1850 N. Central Ave.  
Suite 1100  
Phoenix, AZ 85004  
jimoyes@lawms.com  
602-604-2106  
602-274-9135 (fax)

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Monday, May 11, 2009 8:16 AM  
To: Jay Moyes  
Cc: Dana Diller; LuAnn Kornegay  
Subject: RE: Upcoming Line Siting Filings

Mr. Moyes,

The Committee has nothing currently scheduled for July and August. The ones that are scheduled are on May 12-13, May 18-19 and June 2-4.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "Jay Moyes" <JIMoyes@LAWMS.COM> 5/11/2009 8:06 AM >>>  
Tara: Thanks for the updated list. I have a request that would help me  
prepare for my pre-filing conference with the Chairman on Thursday:  
Could you respond by indicating what dates he has already scheduled for  
Committee hearings on filed cases during July and August? Thank you.  
--JAY

Jay I. Moyes, Esq.  
Moyes Sellers & Sims  
1850 N. Central Ave.  
Suite 1100  
Phoenix, AZ 85004  
jimoyes@lawms.com  
602-604-2106  
602-274-9135 (fax)

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damage arising in any way from its use.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Friday, May 08, 2009 12:13 PM  
To: Milt Percival; Lawrence Robertson; Gregory Bernosky; Lawrence  
Krueger; Michael DeWitt; Paul Herndon; Phil Smithers; Robert Smith; Erik  
Ellis; Jim Pickles; Alan Stephens; Bob Gray; Cristina Arzaga-Williams;  
Delbert Smith; Ernest Johnson; Giancarlo Estrada; Janice Alward; John  
LeSueur; Meghaen Duger; Michael Kearns; Prem Bahl; Rachelle DeWitt; Ray  
Williamson; Steve Olea; Terri Ford; Mary Bollington; C Crockett; Michael  
Grant; Laurie Woodall; Jay Moyes; Thomas Campbell; Jim Charters; J  
Derstine; Tom Wray; Jana Brandt; Karilee Ramaley; Kelly Barr; Robert  
Kondziolka; David Bryan; Michelle Freeark; Marcus Jerden; Joe Gregory;  
Mariah Lownds  
Subject: Upcoming Line Siting Filings

Good Afternoon,

Some changes have been made to the list of expected filings. Please see  
the attached, and let me know if any further changes need to be made.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 5/20/2009 9:42 AM  
**Subject:** RE: Dates in July

Thank you Tara. I will be in touch. Have a great day!

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Wednesday, May 20, 2009 9:22 AM  
To: LuAnn Kornegay  
Subject: Dates in July

LuAnn,

I have spoken to most of the Committee Members, and there would be a quorum for July 21st through the 24th. Any three days would likely work. Let me know if you need anything else.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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copies of the original message.

**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 5/19/2009 2:28 PM  
**Subject:** RE: Agua Caliente

Hi Tara

Thank you. I am just trying to tie things in a pretty bow (so to speak). Tomorrow morning would be fine. Thanks again. Have a good afternoon.

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Tuesday, May 19, 2009 1:08 PM  
To: LuAnn Kornegay  
Subject: Re: Agua Caliente

I have heard from six. I have left messages for the others. I was hoping to hear from a couple more before the end of the day, but it seems that July 21-24 are okay with most. If I don't hear from them later this afternoon, I'll try again. Can I get back to you tomorrow, or is that cutting it close?

Tara

>>> "LuAnn Kornegay" <LKKornegay@LAWMS.COM> 5/19/2009 1:02 PM >>>  
Hi Tara

I was just checking to see if you had heard back from committee members regarding the July dates we spoke about yesterday afternoon?

Thanks!

LuAnn Kornegay  
Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

lkkornegay@lawms.com

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**From:** "AZRS" <azrs@az-reporting.com>  
**To:** <john.foreman@azag.gov>, "Tara Williams" <Tara.Williams@azag.gov>, <susa...  
**Date:** 5/19/2009 10:07 AM  
**Subject:** FINAL 05-14-09 Agua Caliente  
**Attachments:** 051409 agua caliente.ptx; 051409 agua caliente.pdf; 051409 Agua Caliente.TX  
T

**CC:** <lkkornegay@lawms.com>, "Monica Martinez (ACC/Legal)" <mmartinez@azcc.go...  
Attached to this e-mail is the final transcription of the above-referenced Prefiling meeting, as follows:

051409 Agua Caliente.TXT            ASCII / Plain text, page image, may not retain page and line number  
integrity

051409 Agua Caliente.PTX            E-transcript(tm) / Requires Viewer / See below

051409 Agua Caliente.PDF            Adobe Acrobat PDF File / Requires viewer

NOTE: All full size transcripts will be distributed today, Tuesday, May 19, 2009, except the original transcript. We will hold the original transcript until such time when a docket number has been assigned to this matter, at which time we will promptly file it with Docket Control. We will advise you of the filing date and we will provide you with updated electronic files.

The Applicant arranged for a 3-Day Expedited delivery of this final transcription to satisfy the requirements under A.R.S. §38-431.01 D.

Thank you for the opportunity to be of service.

If you have any questions, please let us know.

Thank you,

Jamie Stewart

Production Manager

Arizona Reporting Service, Inc.

Court Reporting & Videoconferencing Center

2200 North Central Avenue, Suite 502

Phoenix, AZ 85004-1481

VOICE            602-274-9944

FAX              602-277-4264

TOLL FREE      800-522-8893

website          <http://www.az-reporting.com/>

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If you have not yet downloaded the Viewer, please go to

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The installation instructions appear below the "PC User" and "Mac User" buttons that appear when clicking on the link above. Depending on your screen resolution, you may need to scroll down to see the instructions.

**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 5/18/2009 11:40 AM  
**Subject:** RE: Agua Caliente Solar CEC hearing

**CC:** "Susan Ellis" <Susan.Ellis@azag.gov>  
Thank you! I look forward to hearing from you. Have a good day!

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Monday, May 18, 2009 11:27 AM  
To: LuAnn Kornegay  
Cc: Susan Ellis  
Subject: Re: Agua Caliente Solar CEC hearing

LuAnn,

I just spoke with the Chairman. He has brought the dates to the attention of the Committee, but the hearing dates will probably not be able to be finalized until, likely, tomorrow to give the Committee members a chance to review their schedules. I will get back to you as soon as I receive a confirmation from them.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "LuAnn Kornegay" <LKKornegay@LAWMS.COM> 5/18/2009 8:13 AM >>>  
Good morning Tara

Mr. Moyes asked me to contact you and let you know that we would like to reserve July 20, 21 and 22 as hearing dates in the Agua Caliente Solar Project matter. The hearing would take place in Dateland, AZ. Jay believes that the hearing can be completed in two days, but after discussing things with The Chairman, they agreed that it might be best to schedule three days just in case an extra day is needed.

Could you please confirm these dates with Mr. Foreman and get back with me?

As always, feel free to give me a call! Thanks and have a super day!!!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

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**From:** Tara Williams  
**To:** LuAnn Kornegay  
**Date:** 5/18/2009 8:18 AM  
**Subject:** Re: Agua Caliente Solar CEC hearing

Good Morning LuAnn,

The Chairman is in a hearing today, but I will notify him of the requested dates and check with the Committee as soon as their available.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 5/18/2009 8:13 AM >>>  
Good morning Tara

Mr. Moyes asked me to contact you and let you know that we would like to reserve July 20, 21 and 22 as hearing dates in the Agua Caliente Solar Project matter. The hearing would take place in Dateland, AZ. Jay believes that the hearing can be completed in two days, but after discussing things with The Chairman, they agreed that it might be best to schedule three days just in case an extra day is needed.

Could you please confirm these dates with Mr. Foreman and get back with me?

As always, feel free to give me a call! Thanks and have a super day!!!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

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**From:** Susan Ellis  
**To:** Kornegay, LuAnn  
**Date:** 5/13/2009 4:33 PM  
**Subject:** Re: FW: Agua Caliente Solar Project Meeting 5/14 (Out of Office)

**CC:** Foreman, John; Williams, Tara  
Hello, my friend... hope all is well with you.

Per the Chairman, he wants the 3 day expedited transcript.

Susie Ellis  
Office of the Arizona Attorney General  
Antitrust Unit  
1275 W. Washington  
Phoenix, AZ 85007-2926  
Tel: (602) 542-7764  
Fax: (602) 542-9088  
susan.ellis@azag.gov

>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 5/13/2009 3:41 PM >>>  
Hi Susie  
Can you review the email below and let me know? Thanks tons!! =)

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]  
Sent: Wednesday, May 13, 2009 3:35 PM  
To: LuAnn Kornegay  
Subject: Re: Agua Caliente Solar Project Meeting 5/14 (Out of Office)

I will be out of the office May 13th through May 15th. I will be returning on Monday, May 18th. If you need to contact someone before then, please e-mail Susie Ellis at [Susan.Ellis@azag.gov](mailto:Susan.Ellis@azag.gov).

Thank you,  
Tara Williams

>>> LKKornegay 05/13/09 15:32 >>>

Hi Tara

Can you tell me if Chairman Foreman wants the 3 day expedited or 10 day normal delivery of the transcript from tomorrow's meeting?

Thank you!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

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**From:** "Jay Moyes" <JIMoyes@LAWMS.COM>  
**To:** "Janice Alward" <JAlward@azcc.gov>  
**Date:** 5/29/2009 9:51 AM  
**Subject:** FW: Agua Caliente Solar / APS Q43  
**Attachments:** Notice of Hearing 5-28-09 draft to Foreman.doc

**CC:** <John.Foreman@azag.gov>, "Tara Williams" <Tara.Williams@azag.gov>, "Camp...  
Janice: I'm forwarding to you an email I sent yesterday to Nancy Scott and Chairman Foreman. I received an "out-of-office" reply from Nancy, and apparently her assistant, Karyn, is unable to open or forward Nancy's email to you. Therefore, I am sending this in hopes that you or one of your attorneys may be able to review the attached draft form of Notice of Hearing today and give me any comments. I'd like to get your input, if any, so that Chairman Foreman and I both have the benefit of that before he gives final approval of the form.

We anticipate filing two CEC applications on Monday - one for the solar plant and one for the related APS Q43 switchyard/interconnection facility - to be followed immediately by motions asking the Chairman to consolidate the resulting two cases for hearing. Therefore, the attached form of Notice of Hearing is premised on the anticipated grant of those motions. Of course, if they are denied we will need to revise the notice accordingly.

Thanks for your consideration. ---JAY

Jay I. Moyes, Esq.

Moyes Sellers & Sims

1850 N. Central Ave.

Suite 1100

Phoenix, AZ 85004

jimoyes@lawms.com

602-604-2106

602-274-9135 (fax)

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damage arising in any way from its use.

---

From: Jay Moyes  
Sent: Thursday, May 28, 2009 4:13 PM  
To: 'John.Foreman@azag.gov'; 'Tara Williams'; 'Nancy Scott'  
Cc: 'Campbell, Tom'; LuAnn Kornegay; 'Dana Diller'  
Subject: Agua Caliente Solar / APS Q43

Chairman Foreman and Ms Scott:

Attached please find, for your review, the proposed form of Notice of Hearing for the anticipated consolidated CEC Application cases for the Agua Caliente Solar Project and the APS Q43 500kV Transmission Line and Switchyard Interconnection Project, per our discussion with Chairman Foreman at the pre-filing conference. This form is proposed jointly by me (for Agua Caliente Solar, LLC) and Tom Campbell (for APS). Please reply to both of us with any comments. Also as discussed, immediately after filing the CEC applications we will each be filing motions to consolidate these two matters for hearing. We presently expect to file those applications at the beginning of next week, with first publication of the Notice of Hearing to follow promptly thereafter. We look forward to your comments.

Thank you.

Jay I. Moyes, Esq.

Moyes Sellers & Sims

1850 N. Central Ave.

Suite 1100

Phoenix, AZ 85004

jimoyes@lawms.com

602-604-2106

602-274-9135 (fax)

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**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

In the matter of the Application of Agua Caliente Solar, LLC, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the Agua Caliente Solar Project, a 280 MW parabolic trough concentrating solar thermal, or a 425 MW photovoltaic solar, generating facility and associated transmission line interconnecting the generating facility to the adjacent Palo Verde - North Gila #1 500kV transmission line in Yuma County approximately 10 miles north of Dateland, Arizona.

**Docket No.** \_\_\_\_\_

Case No. \_\_\_\_\_

In the matter of the Application of Arizona Public Service Company, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the APS Q43 500kV Transmission Line and Switchyard Interconnection Project and associated facilities interconnecting to the Palo Verde - North Gila #1 and future Palo Verde - North Gila #2 500kV transmission lines approximately 10 miles north of Dateland, Arizona (Section 34, T5S, R12W, G&SRB&M, Yuma County, Arizona)

**Docket No.** \_\_\_\_\_

Case No. \_\_\_\_\_

**NOTICE OF HEARING**

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") regarding the Applications of Agua Caliente Solar, LLC, and Arizona Public Service Company, respectively, (collectively, "Applicants")

for Certificates of Environmental Compatibility authorizing: (1) the Agua Caliente Solar Project solar generating facility and associated gen-tie transmission line; and (2) the APS Q43 500kV Transmission Line and Switchyard Interconnection Project (collectively, the "Projects".)

The hearing will be held at the Dateland Elementary School, located at 1300 South Avenue 64E, Dateland, Yuma County, Arizona, 85333, (just North of the Dateland Exit off Interstate 8) telephone number: 928-454-2242. The hearing shall begin on Tuesday, July 21, 2009, at 9:30 a.m. and, if necessary, continue on Wednesday, July 22, 2009, at 9:30 a.m., and, Thursday, July 23, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on each day. Additional hearings, if necessary, will be noticed on the Projects and Arizona Corporation Commission's ("ACC") websites.

The website for the Agua Caliente Solar Project is: <http://aguacalientesolarproject.com>

The ACC website is: [www.azcc.gov/AZ\\_Power\\_Plant/LineSiting-Calendar.asp](http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp).

**PUBLIC COMMENT WILL BE TAKEN AT THE BEGINNING OF EACH HEARING DAY. PUBLIC COMMENT WILL ALSO BE TAKEN IN A SPECIAL EVENING SESSION ON TUESDAY, JULY 21, 2009, BEGINNING AT 6:00 P.M., AT THE DATELAND ELEMENTARY SCHOOL, LOCATED AT 1300 SOUTH AVENUE 64E, DATELAND, ARIZONA 85333.**

The Committee may, at its discretion, conduct a tour of the Projects' sites. If so, the tour will depart from the Dateland Elementary School parking lot at 8:00 a.m. on Wednesday, July 22, 2009. A map and itinerary for the proposed tour will be available at the hearing and at the Dateland Elementary School parking lot at the time of commencement of the tour, if conducted. Members of the public may follow the Committee on the tour in their own private vehicles. During the tour the Committee may hear brief testimony at stops on the tour from one or more witnesses concerning where the stops are located, what is visible at the stops and the relevance of the location and view to the facilities in the Applications. No other discussion or deliberation concerning the Applications will occur during the tour. A court reporter or recording device will record any testimony taken on the tour for transcription.

The Committee may, at its discretion, recess the hearing to a time and place to be announced during the hearing, or to be determined after the recess. The date, time and place at which the hearing will be resumed will be posted on the ACC and Projects' websites. **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN; HOWEVER, PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

The Projects' sites are located approximately 10 miles north and 3 miles east of Dateland, Arizona, on the north side of Palomas Road, on approximately the southern-most 2,400 acres of the larger existing agricultural property locally known as the "Whitewing Ranch", and will comprise essentially the South half of Section 16, and all or portions of Sections 21, 22, 28, 27 and Section 34, T5S, R12W, G&SRB&M, Yuma County, Arizona. The APS

Q43 500kV Transmission Line and Switchyard Interconnection Project will be located in Section 34.

The Agua Caliente Solar Project consists of a solar generating facility with associated tie transmission line interconnecting with the proposed APS Q43 500kV Switchyard. The solar generating facility will utilize either parabolic trough concentrating solar thermal technology ("CSP") or photovoltaic solar technology ("PV"). The facility will have a design maximum peak capacity of approximately 280MW if CSP is used, or approximately 425MW if PV is used.

The APS Q43 500kV Transmission Line and Switchyard Interconnection Project will consist of a series of short 500 kV transmission lines and a new regional switchyard that will initially connect the Agua Caliente Solar Project to the adjacent existing Palo Verde - North Gila #1 500kV transmission line(ACC Decision #52428), but will be designed to also accommodate the future interconnection of the planned Palo Verde - North Gila #2 500kV transmission line (ACC Decision #70127), a future 500kV/69kV substation, and other related transmission facilities.

Maps of the Projects' sites and detailed information about project facilities and technology are contained in the Applications, which are available for inspection at the following locations:

- Docket Control Center of the ACC Phoenix Office at 1200 West Washington Street, Suite 108, Phoenix, AZ 85007
- Dateland Elementary School Library, 1300 South Avenue 64E, Dateland, AZ 85333
- Yuma County Main Public Library, 185 South Main Street, Yuma, AZ 85364

Each county and municipal government and state agency interested in the proposed Projects and desiring to be a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

Any domestic non-profit corporation or association formed in whole or in part to promote conservation of natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Projects are to be located and desiring to become a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

The Committee or its Chairman, at any time deemed appropriate, may make other persons parties to the proceeding.

Any person may make a limited appearance at a hearing by filing a statement in writing with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street,

Phoenix, Arizona 85007, not less than five days before the date set for hearing. A person making a limited appearance shall not be a party or have the right to present testimony or cross-examine witnesses.

This proceeding is governed by Arizona Revised Statutes Sections 40-360 to 40-360.13 and Arizona Administrative Code R14-3-201 to R14-3-220. No substantive communication not in the public record may be made to any member of the Committee. The written decision of the Committee will be submitted to the Arizona Corporation Commission pursuant to Arizona Revised Statutes Section 40-360.07. Any person intending to be a party to the proceedings on these matters before the Arizona Corporation Commission must be a party to the proceedings before the Committee.

ORDERED this \_\_\_\_ day of June, 2009.

---

John Foreman, CHAIRMAN  
ARIZONA POWER PLANT AND TRANSMISSION  
LINE SITING COMMITTEE  
Arizona Attorney General

**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 6/2/2009 4:09 PM  
**Subject:** Agua Caliente Solar Project  
**Attachments:** 20090602185111.pdf; 20090602185123.pdf

**CC:** "Jay Moyes" <JIMoyes@LAWMS.COM>, "John Foreman" <John.Foreman@azag.gov>  
Good afternoon Tara

Per our conversation this afternoon, attached is the electronic copy of the Motion to Consolidate Line Siting Hearing Proceedings, which we are docketing today, and a proposed form of Notice of Hearing that presumes a grant of that Motion. We would really appreciate it if you can get these to Chairman Foreman as quickly as possible, because we are faced with a tight timeline with the newspaper in order to publish within the 10-day timeline.

As always, if you need any additional information, please feel free to contact me. Thank you for your assistance.

(Hard copies will follow via hand delivery).

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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attachments are believed to be free of any virus or other defect, it is the responsibility of the recipient to ensure that it is virus free & no responsibility is accepted by Moyes Sellers & Sims for any loss or damage arising in any way from its use.

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**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

In the matter of the Application of Agua Caliente Solar, LLC, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the Agua Caliente Solar Project, a 280 MW concentrating solar thermal generating facility or a 425 MW photovoltaic solar generating facility, and associated transmission line interconnecting the generating facility to the adjacent Palo Verde - North Gila #1 500kV transmission line in Yuma County approximately 10 miles north of Dateland, Arizona.

Docket No. L-00000JJ-09-0279-00145

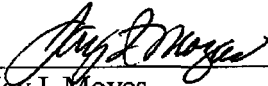
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**MOTION TO CONSOLIDATE LINE SITING HEARING PROCEEDINGS**

Agua Caliente Solar, LLC ("Applicant"), hereby moves to consolidate the Arizona Power Plant and Transmission Line Siting Committee hearing proceedings in Docket No. L-00000JJ-09-0279-00145, Case No. 145, Applicant's application for a Certificate of Environmental Compatibility for the Agua Caliente Solar Project, with the hearing proceedings in Docket No. L-00000D-09-0280-00146, Case No. 146, Arizona Public Service Company's application for a Certificate of Environmental Compatibility for APS Q43 500kV Transmission Line and Switchyard Interconnection Project. The issues involved in these matters are substantially related and no parties' rights will be prejudiced by consolidation. Consolidation of the hearings will prevent duplication and be a more efficient use of the Committee's time and resources. The Applicant still requests that a separate Certificate of Environmental Compatibility be granted for each matter.

1 RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of JUNE, 2009.

2  
3 MOYES SELLERS & SIMS, LTD.

4  
5 By   
6 Jay I. Moyes  
7 1850 N. Central Avenue, Suite 1100  
8 Phoenix, AZ 85004  
9 602-604-2106  
10 [jimoyes@lawms.com](mailto:jimoyes@lawms.com)  
11 Attorneys for Agua Caliente Solar, LLC

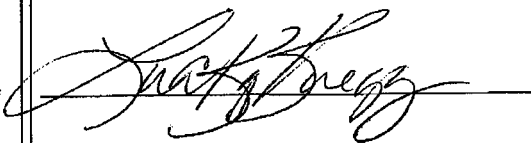
12 ORIGINAL and 25  
13 Copies of the foregoing  
14 filed this 24 day of June,  
15 2009, with:

16 The Arizona Corporation Commission  
17 Utilities Division – Docket Control  
18 1200 W. Washington Street  
19 Phoenix, AZ 85007

20 COPIES of the foregoing hand-  
21 Delivered this 24 day of June, 2009 to:

22 Hon. John Foreman, Chairman  
23 Arizona Power Plant and Transmission  
24 Line Siting Committee  
25 1275 W. Washington  
Phoenix, AZ 85007

Nancy Scott, Esq.  
Legal Division  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007





**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

In the matter of the Application of Agua Caliente Solar, LLC, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the Agua Caliente Solar Project, a 280 MW parabolic trough concentrating solar thermal, or a 425 MW photovoltaic solar, generating facility and associated transmission line interconnecting the generating facility to the adjacent Palo Verde - North Gila #1 500kV transmission line in Yuma County approximately 10 miles north of Dateland, Arizona.

**Docket No. L-00000JJ-09-0279-00145**

**Case No. 145**

In the matter of the Application of Arizona Public Service Company, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the APS Q43 500kV Transmission Line and Switchyard Interconnection Project and associated facilities interconnecting to the Palo Verde - North Gila #1 and future Palo Verde - North Gila #2 500kV transmission lines approximately 10 miles north of Dateland, Arizona (Section 34, T5S, R12W, G&SRB&M, Yuma County, Arizona)

**Docket No. L-00000D-09-0280-00146**

**Case No. 146**

**NOTICE OF HEARING**

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") regarding the Applications of Agua Caliente Solar, LLC, and Arizona Public Service Company, respectively, (collectively, "Applicants") for Certificates

of Environmental Compatibility authorizing: (1) the Agua Caliente Solar Project solar generating facility and associated gen-tie transmission line; and (2) the APS Q43 500kV Transmission Line and Switchyard Interconnection Project (collectively, the "Projects".)

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The website for the Agua Caliente Solar Project is: <http://aguacalientesolarproject.com>

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**PUBLIC COMMENT WILL BE TAKEN AT THE BEGINNING OF EACH HEARING DAY. PUBLIC COMMENT WILL ALSO BE TAKEN IN A SPECIAL EVENING SESSION ON TUESDAY, JULY 21, 2009, BEGINNING AT 6:00 P.M., AT THE DATELAND ELEMENTARY SCHOOL, LOCATED AT 1300 SOUTH AVENUE 64E, DATELAND, ARIZONA 85333.**

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The Agua Caliente Solar Project consists of a solar generating facility with associated gen-tie transmission line interconnecting with the proposed APS Q43 500kV Switchyard. The solar generating facility will utilize either parabolic trough concentrating solar thermal technology ("CSP") or photovoltaic solar technology ("PV"). The facility will have a design maximum peak capacity of approximately 280MW if CSP is used, or approximately 425MW if PV is used.

The APS Q43 500kV Transmission Line and Switchyard Interconnection Project will consist of a series of short 500 kV transmission lines and a new regional switchyard that will initially connect the Agua Caliente Solar Project to the adjacent existing Palo Verde - North Gila #1 500kV transmission line(ACC Decision #52428), but will be designed to also accommodate the future interconnection of the planned Palo Verde - North Gila #2 500kV transmission line (ACC Decision #70127), a future 500kV/69kV substation, and other related transmission facilities.

Maps of the Projects' sites and detailed information about Project facilities and technology are contained in the Applications, which are available for inspection at the following locations:

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Each county and municipal government and state agency interested in the proposed Projects and desiring to be a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

Any domestic non-profit corporation or association formed in whole or in part to promote conservation of natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Projects are to be located and desiring to become a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

The Committee or its Chairman, at any time deemed appropriate, may make other persons parties to the proceeding.

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This proceeding is governed by Arizona Revised Statutes Sections 40-360 to 40-360.13 and Arizona Administrative Code R14-3-201 to R14-3-220. No substantive communication not in the public record may be made to any member of the Committee. The written decision of the Committee will be submitted to the Arizona Corporation Commission pursuant to Arizona

Revised Statutes Section 40-360.07. Any person intending to be a party to the proceedings on these matters before the Arizona Corporation Commission must be a party to the proceedings before the Committee.

ORDERED this \_\_\_\_ day of June, 2009.

---

John Foreman, CHAIRMAN  
ARIZONA POWER PLANT AND TRANSMISSION  
LINE SITING COMMITTEE  
Arizona Attorney General

**From:** Tara Williams  
**To:** John Foreman; LuAnn Kornegay  
**Date:** 6/2/2009 4:33 PM  
**Subject:** Re: Agua Caliente Solar Project

**CC:** Jay Moyes

Thank you, LuAnn.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "LuAnn Kornegay" <[LKKornegay@LAWMS.COM](mailto:LKKornegay@LAWMS.COM)> 6/2/2009 4:27 PM >>>  
Tara

Due to the late hour of the day, attached is an electronic copy of a letter that will be hand delivered to Chairman Foreman (with the enclosures) in the morning.

Thank you!

LuAnn Kornegay

Administrative Coordinator

Moyes Sellers & Sims

1850 N. Central Avenue, Suite 1100

Phoenix, AZ 85004

(602) 604-2156

(602) 274-9135 - Fax

[lkornegay@lawms.com](mailto:lkornegay@lawms.com)

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responsibility is accepted by Moyes Sellers & Sims for any loss or damage arising in any way from its use.

# MOYES SELLERS & SIMS

JAY I. MOYES • 602-604-2106 • jimoyes@lawms.com  
1850 N. Central Ave., #1100 • Phoenix, AZ 85004 • fax 602.274.9135

June 2, 2009

**VIA HAND-DELIVERY**

Hon. John Foreman, Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
1275 W. Washington  
Phoenix, AZ 85007

- RE:    1. Applications for CEC for Case No. 145 (Agua Caliente Solar Project), and  
            Case No. 146 (APS Q43 500kV Transmission and Switchyard Interconnection  
            Project);  
          2. Motion to Consolidate; and  
          3. Proposed form of published Notice of Hearing

Dear Chairman Foreman:

Enclosed for your convenience is an additional copy of each of the above-referenced Applications for Certificate of Environmental Compatibility, which were filed and docketed on June 1, 2009.

Also enclosed for your consideration is a Motion to Consolidate, which is being filed with Docket Control on behalf of Agua Caliente Solar, LLC. Our motion seeks consolidation of the two dockets pertaining to the CEC Applications for these two integrally related projects. You should be receiving under separate cover a corresponding Motion to Consolidate from Tom Campbell on behalf of APS.

In order to meet the statutory 10-day timeline for publication of notice of hearing, and in light of the 4-day pre-publication lead time requirement of the newspaper (the Yuma Sun), we request an expedited ruling on these motions, inasmuch as your ruling will govern the final form of the notice of hearing for publication.

A draft form of notice of hearing that presumes a grant of consolidation is also enclosed for your consideration and comment, if applicable.

June 2, 2009

Page 2

With a copy of this letter we are also delivering courtesy copies of the same four enclosures to Janice Alward, Chief Counsel to the Arizona Corporation Commission. We invite and will appreciate the prompt responsive comments, if any, of the Commission Staff.

Thank you both for your consideration of these matters.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Jay I. Moyes", written in a cursive style.

Jay I. Moyes

JIM/Ikk

Enclosures

cc: Janice Alward, Esq. w/ enclosures  
Dana Diller  
Thomas Campbell, Esq. ✓



**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 6/4/2009 4:22 PM  
**Subject:** Notice of Hearing 6-2-09 4 pm.doc  
**Attachments:** Notice of Hearing 6-2-09 4 pm.doc

Hi Tara

Attached is a new draft of the notice of hearing.  
The Yuma library moved into a new building recently and we had their old address on the previous notice. Please disregard that previous version.

If you have any questions, just let me know.

Thank you!

LuAnn Kornegay  
Moyes Sellers & Sims  
602-604-2156

**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

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**Docket No. L-00000JJ-09-0279-00145**

**Case No. 145**

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**Docket No. L-00000D-09-0280-00146**

**Case No. 146**

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**PUBLIC COMMENT WILL BE TAKEN AT THE BEGINNING OF EACH HEARING DAY. PUBLIC COMMENT WILL ALSO BE TAKEN IN A SPECIAL EVENING SESSION ON TUESDAY, JULY 21, 2009, BEGINNING AT 6:00 P.M., AT THE DATELAND ELEMENTARY SCHOOL, LOCATED AT 1300 SOUTH AVENUE 64E, DATELAND, ARIZONA 85333.**

The Committee may, at its discretion, conduct a tour of the Projects' sites. If so, the tour will depart from the Dateland Elementary School parking lot at 8:00 a.m. on Wednesday, July 22, 2009. A map and itinerary for the proposed tour will be available at the hearing and at the Dateland Elementary School parking lot at the time of commencement of the tour, if conducted. Members of the public may follow the Committee on the tour in their own private vehicles. During the tour the Committee may hear brief testimony at stops on the tour from one or more witnesses concerning where the stops are located, what is visible at the stops and the relevance of the location and view to the facilities in the Applications. No other discussion or deliberation concerning the Applications will occur during the tour. A court reporter or recording device will record any testimony taken on the tour for transcription.

The Committee may, at its discretion, recess the hearing to a time and place to be announced during the hearing, or to be determined after the recess. The date, time and place at which the hearing will be resumed will be posted on the ACC and Projects' websites. **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN; HOWEVER, PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

The Projects' sites are located approximately 10 miles north and 3 miles east of Dateland, Arizona, on the north side of Palomas Road, on approximately the southern-most 2,400 acres of the larger existing agricultural property locally known as the "Whitewing Ranch", and will comprise essentially the South half of Section 16, and all or portions of Sections 21, 22, 28, 27 and Section 34, T5S, R12W, G&SRB&M, Yuma County, Arizona. The APS Q43 500kV Transmission Line and Switchyard Interconnection Project will be located in Section 34.

The Agua Caliente Solar Project consists of a solar generating facility with associated generation transmission line interconnecting with the proposed APS Q43 500kV Switchyard. The solar generating facility will utilize either parabolic trough concentrating solar thermal technology ("CSP") or photovoltaic solar technology ("PV"). The facility will have a design maximum peak capacity of approximately 280MW if CSP is used, or approximately 425MW if PV is used.

The APS Q43 500kV Transmission Line and Switchyard Interconnection Project will consist of a series of short 500 kV transmission lines and a new regional switchyard that will initially connect the Agua Caliente Solar Project to the adjacent existing Palo Verde - North Gila #1 500kV transmission line(ACC Decision #52428), but will be designed to also accommodate the future interconnection of the planned Palo Verde - North Gila #2 500kV transmission line (ACC Decision #70127), a future 500kV/69kV substation, and other related transmission facilities.

Maps of the Projects' sites and detailed information about Project facilities and technology are contained in the Applications, which are available for inspection at the following locations:

- Docket Control Center of the ACC Phoenix Office at 1200 West Washington Street, Suite 108, Phoenix, AZ 85007
- Dateland Elementary School Library, 1300 South Avenue 64E, Dateland, AZ 85333
- Yuma County Main Public Library, 2951 S. 21<sup>st</sup> Drive, Yuma, AZ 85364

Each county and municipal government and state agency interested in the proposed Projects and desiring to be a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

Any domestic non-profit corporation or association formed in whole or in part to promote conservation of natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Projects are to be located and desiring to become a party to the proceedings shall, not less than ten days before the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

The Committee or its Chairman, at any time deemed appropriate, may make other persons parties to the proceeding.

Any person may make a limited appearance at a hearing by filing a statement in writing with the Director of Utilities, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007, not less than five days before the date set for hearing. A person making a limited appearance shall not be a party or have the right to present testimony or cross-examine witnesses.

This proceeding is governed by Arizona Revised Statutes Sections 40-360 to 40-360.13 and Arizona Administrative Code R14-3-201 to R14-3-220. No substantive communication not in the public record may be made to any member of the Committee. The written decision of the Committee will be submitted to the Arizona Corporation Commission pursuant to Arizona

Revised Statutes Section 40-360.07. Any person intending to be a party to the proceedings on these matters before the Arizona Corporation Commission must be a party to the proceedings before the Committee.

ORDERED this \_\_\_\_ day of June, 2009.

---

John Foreman, CHAIRMAN  
ARIZONA POWER PLANT AND TRANSMISSION  
LINE SITING COMMITTEE  
Arizona Attorney General

**From:** "LuAnn Kornegay" <LKKornegay@LAWMS.COM>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 6/5/2009 10:20 AM  
**Subject:** RE: Notice of Hearing

Thank you so much Tara.

As always, if you have any questions or need anything from me, just let me know.

LuAnn Kornegay  
Administrative Coordinator  
Moyes Sellers & Sims  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004  
(602) 604-2156  
(602) 274-9135 - Fax  
lkkornegay@lawms.com

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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Friday, June 05, 2009 9:45 AM  
To: LuAnn Kornegay; Marjorie Haberman  
Cc: Marta Hetzer  
Subject: Notice of Hearing

LuAnn,

Attached is the signed Notice of Hearing. I will be taking that along with the Orders to Consolidate over to Docket Control right now. Please let me know if you need anything else.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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1 **BEFORE THE ARIZONA POWER PLANT**  
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3  
4 IN THE MATTER OF THE APPLICATION OF AGUA ) Arizona Corporation Commission  
5 CALIENTE SOLAR, LLC, IN CONFORMANCE WITH )  
6 THE REQUIREMENTS OF ARIZONA REVISED ) Docket No. L-00000JJ-09-0279-00145  
7 STATUTES 40-360.03 AND 40-360.06, FOR A ) Case No. 145  
8 CERTIFICATE OF ENVIRONMENTAL )  
9 COMPATIBILITY AUTHORIZING CONSTRUCTION )  
10 OF THE AGUA CALIENTE SOLAR PROJECT, A 280 )  
11 MW PARABOLIC TROUGH CONCENTRATING )  
12 SOLAR THERMAL, OR A 425 MW PHOTOVOLTAIC )  
13 SOLAR, GENERATING FACILITY AND )  
14 ASSOCIATED TRANSMISSION LINE )  
15 INTERCONNECTING THE GENERATING FACILITY )  
16 TO THE ADJACENT PALO VERDE )  
17 - NORTH GILA #1 500KV TRANSMISSION LINE IN )  
18 YUMA COUNTY APPROXIMATELY 10 MILES )  
19 NORTH OF DATELAND, ARIZONA. )

20  
21 IN THE MATTER OF THE APPLICATION OF )  
22 ARIZONA PUBLIC SERVICE COMPANY, IN ) Docket No. L-00000D-09-0280-00146  
23 CONFORMANCE WITH THE REQUIREMENTS OF )  
24 ARIZONA REVISED STATUTES 40-360.03 AND 40- ) Case No. 146  
25 360.06, FOR A CERTIFICATE OF ENVIRONMENTAL )  
26 COMPATIBILITY AUTHORIZING CONSTRUCTION )  
27 OF THE APS Q43 500KV TRANSMISSION LINE AND )  
28 SWITCHYARD INTERCONNECTION PROJECT AND )  
29 ASSOCIATED FACILITIES INTERCONNECTING TO )  
30 THE PALO VERDE - NORTH GILA #1 AND FUTURE )  
31 PALO VERDE - NORTH GILA #2 500KV )  
32 TRANSMISSION LINES APPROXIMATELY 10 )  
33 MILES NORTH OF DATELAND, ARIZONA )  
34 (SECTION 34, T5S, R12W, G&SRB&M, YUMA )  
35 COUNTY, ARIZONA) )

36 **NOTICE OF HEARING**

37 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line  
38 Siting Committee (the "Committee") regarding the Applications of Agua Caliente Solar, LLC,  
39 and Arizona Public Service Company, respectively, (collectively, "Applicants") for Certificates  
40 of Environmental Compatibility authorizing: (1) the Agua Caliente Solar Project solar generating  
41 facility and associated gen-tie transmission line; and (2) the APS Q43 500kV Transmission Line  
42 and Switchyard Interconnection Project (collectively, the "Projects".)



1 The hearing will be held at the Dateland Elementary School, located at 1300 South Avenue 64E,  
2 Dateland, Yuma County, Arizona, 85333, (just North of the Dateland Exit off Interstate 8)  
3 telephone number: (928) 454-2242. The hearing will begin on Tuesday, July 21, 2009, at 9:30  
4 a.m. and, if necessary, continue on Wednesday, July 22, 2009, at 9:30 a.m., and, Thursday July  
5 23, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on each day.  
6 Additional hearings, if necessary, will be noticed on the Projects and Arizona Corporation  
7 Commission's ("ACC") websites.

8 The website for the Agua Caliente Solar Project is: <http://aguacalientesolarproject.com>

9 The ACC website is: [www.azcc.gov/AZ\\_Power\\_Plant/LineSiting-Calendar.asp](http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp).

10 **PUBLIC COMMENT WILL BE TAKEN AT THE BEGINNING OF EACH HEARING**  
11 **DAY. PUBLIC COMMENT WILL ALSO BE TAKEN IN A SPECIAL EVENING**  
12 **SESSION ON TUESDAY, JULY 21, 2009, BEGINNING AT 6:00 P.M., AT THE**  
13 **DATELAND ELEMENTARY SCHOOL, LOCATED AT 1300 SOUTH AVENUE 64E,**  
14 **DATELAND, ARIZONA 85333.**

15 The Committee may, at its discretion, conduct a tour of the Projects' sites. If so, the tour will  
16 depart from the Dateland Elementary School parking lot at 8:00 a.m. on Wednesday, July 22,  
17 2009. A map and itinerary for the proposed tour will be available at the hearing and at the  
18 Dateland Elementary School parking lot at the time of commencement of the tour, if conducted.  
19 Members of the public may follow the Committee on the tour in their own private vehicles.  
20 During the tour the Committee may hear brief testimony at stops on the tour from one or more  
21 witnesses concerning where the stops are located, what is visible at the stops and the relevance of  
22 the location and view to the facilities in the Applications. No other discussion or deliberation  
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27 hearing will be resumed will be posted on the ACC and Projects' websites. **NOTE: NOTICE**  
28 **OF SUCH RESUMED HEARING WILL BE GIVEN; HOWEVER, PUBLISHED**  
29 **NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

30 The Projects' sites are located approximately 10 miles north and 3 miles east of Dateland,  
31 Arizona, on the north side of Palomas Road, on approximately the southern-most 2,400 acres of  
32 the larger existing agricultural property locally known as the "Whitewing Ranch", and will  
33 comprise essentially the South half of Section 16, and all or portions of Sections 21, 22, 28, 27  
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38 generating facility will utilize either parabolic trough concentrating solar thermal technology

1 ("CSP") or photovoltaic solar technology ("PV"). The facility will have a design maximum peak  
2 capacity of approximately 280MW if CSP is used, or approximately 425MW if PV is used.

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5 connect the Agua Caliente Solar Project to the adjacent existing Palo Verde - North Gila #1  
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9 Maps of the Projects' sites and detailed information about Project facilities and technology are  
10 contained in the Applications, which are available for inspection at the following locations:

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12 Suite 108, Phoenix, AZ 85007
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15 Each county and municipal government and state agency interested in the proposed Projects and  
16 desiring to be a party to the proceedings shall, not less than ten days before the date set for  
17 hearing, file with the Director of Utilities, Arizona Corporation Commission, 1200 West  
18 Washington Street, Phoenix, Arizona 85007 a notice of intent to be a party.

19 Any domestic non-profit corporation or association formed in whole or in part to promote  
20 conservation of natural beauty, to protect the environment, personal health or other biological  
21 values, to preserve historical sites, to promote consumer interests, to represent commercial and  
22 industrial groups, or to promote the orderly development of the area in which the Projects are to  
23 be located and desiring to become a party to the proceedings shall, not less than ten days before  
24 the date set for hearing, file with the Director of Utilities, Arizona Corporation Commission,  
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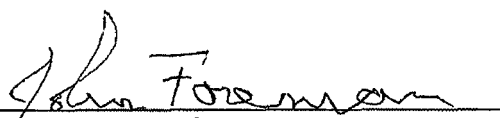
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This proceeding is governed by Arizona Revised Statutes Sections 40-360 to 40-360.13 and  
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the public record may be made to any member of the Committee. The written decision of the  
Committee will be submitted to the Arizona Corporation Commission pursuant to Arizona  
Revised Statutes Section 40-360.07. Any person intending to be a party to the proceedings on

1 these matters before the Arizona Corporation Commission must be a party to the proceedings  
2 before the Committee.

3 ORDERED this 5<sup>th</sup> day of June, 2009.  
4  
5  
6

7   
8 John Foreman, Chairman  
9 Arizona Power Plant and Transmission Line Siting  
10 Committee  
11 Assistant Attorney General  
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